

MEMORANDUM

EDPMC
Agenda Item No. 1(F)2

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 14, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance relating to the Rules of Procedure of the Board of County Commissioners; amending Section 2-1 of the Code to provide that no more than three County questions, including straw ballot questions and commissioner-sponsored proposed amendments to the Home Rule Charter, shall appear on any general election ballot that includes a presidential election; providing severability, inclusion in the Code, and an effective date

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date:

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in dark ink, appearing to be "Carlos A. Gimenez".

Subject: Ordinance Relating to Rules of Procedure Amending Section 2-1 of the Code to
Provide That No More Than Three County Questions Shall Appear on Any General
Election Ballot That Includes a Presidential Election

The proposed ordinance provides that no more than three County questions shall be placed on any general election ballot that includes a presidential election. Implementation of this ordinance will not have a fiscal impact to the County and may result in ballot printing savings that are difficult to quantify.

A handwritten signature in dark ink, appearing to be "Edward Marquez".

Edward Marquez
Deputy Mayor

Fis3513



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 23, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- _____ "3-Day Rule" for committees applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- _____ No committee review
- _____ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- _____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(D)
1-23-13

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RULES OF PROCEDURE
OF THE BOARD OF COUNTY COMMISSIONERS;
AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA TO PROVIDE THAT NO MORE THAN
THREE COUNTY QUESTIONS, INCLUDING STRAW
BALLOT QUESTIONS AND COMMISSIONER-SPONSORED
PROPOSED AMENDMENTS TO THE HOME RULE
CHARTER, SHALL APPEAR ON ANY GENERAL ELECTION
BALLOT THAT INCLUDES A PRESIDENTIAL ELECTION;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

WHEREAS, the November 2012 ballot not only included the Presidential election, a United States Senate race, Congressional races, state House and Senate races, judicial retention races and county commission races, but also included eleven (11) proposed constitutional amendments, one School Board question, seven (7) Miami-Dade County Home Rule Charter questions, two (2) County non-binding straw ballot questions and one (1) other County question; and

WHEREAS, the length of the November 2012 ballot in Miami-Dade County was unprecedented, with most voters receiving a five-page double-sided ballot (ten (10) pages in total), and voters in certain municipalities receiving a six-page double-sided ballot (12 pages in total); and

WHEREAS, the presence of ten (10) separate County and Home Rule Charter questions on the November 2012 ballot was a significant contributing factor to long lines and voter frustration during early voting and on election day; and

WHEREAS, this Board should limit the number of straw ballot, Home Rule Charter amendments and other County questions that it places on the ballot in a presidential election year to no more than three (3) in order to limit the length of the ballot and make the ballot more manageable for voters,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec 2-1. RULES OF PROCEDURE OF THE COUNTY COMMISSION.

* * *

PART 9. ADDITIONAL ORDINANCES
PRESCRIBING COUNTY
COMMISSION PROCEDURE

* * *

>>Rule 9.03.05 County ballot questions, including Home Rule Charter amendments and straw ballot questions.

The Board shall place no more than three (3) County questions on any general election ballot that includes a presidential election. For purposes of this rule, "County questions" shall mean straw ballot questions, commissioner-sponsored proposed amendments to the Home Rule Charter and any other questions related to the County that are proposed by the Board. This subsection shall not apply to amendments to the Home Rule Charter proposed by initiatory petition pursuant to section 9.07 of the Home Rule Charter.<<

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.


Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

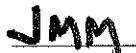
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Jess M. McCarty

Prime Sponsor: Commissioner Barbara J. Jordan